IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 24127 of 2004

Between:

1. Chiluvuri Satyanarayana Raju, S/o. Subba Raju,
Aged about 55 years, Contractor,

R/o. Vubalanka, Ravulapalem Mandal,

East Godavari District.
2. M.V. Satyanarayana Raju, S/o. Appala Raju,
Aged about 40 years, Contractor,

R/o. Vubalanka, Ravulapalem Mandal,

East Godavari District.
3. M/s. Sai Constructions, Vubalanka,
Ravulapalem Mandal,

East Godavari District,
rep. by its Manging Partner, S.Baba Prasada Reddy.

..... PETITIONERS

AND

1. The Engineer-in-Chief (R& B), Administration & NABARD,
Erramanzil, Hyderabad.
2. The Superinteinding Engineer, R&B Circle, Seetammadhara,

Visakhapatnam.
3. The Superintednding Engineer, R&B Circle, Kakinada,

East Godavari District.
4. The Superintendeng Engineer, \R&B Circle, Eluru,

West Godavari District.
5. The Superintending Engineer, R&B Circle, Vijayawada,

Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in not including the OGPC work in the eligibility criteria for opening the price bids of the contractors to the works notified under the tender notices bearing NIT No. E-in-C(R&B) NABARD 123 to 134/2004-05, dt. 07.12.2004 and NIT No.E-in-C(R&B) NABARD 162 TO 165/2004-05, dt. 16.12.2004 as illegal, arbitrary and unjust and consequently direct the respondents to receive the tender schedules of the petitioners to the works notified under the above said notices and open the same along with others by taking into consideration of the experience in OGPC works of the petitioners.

Counsel for the Petitioner: MR.N.SIVA REDDY

Counsel for Respondent Nos.1 to 5: GP FOR ROADS & BUILDINGS

The Court, at the stage of admission, made the following:

ORDER:

This writ petition is filed seeking mandamus declaring the action of the first respondent in not including the OGPC work in the eligibility criteria for opening the price bids of the contractors in respect of the works notified under the tender notices bearing NIT No. E-in-C(R&B) NABARD 123 to 134/2004-05, dated 07-12-2004 and NIT No.E-in-C(R&B) NABARD 162 TO 165/2004-05, dated 16-12-2004, as illegal and arbitrary.

It is represented by the learned Government Pleader for Roads and Buildings that pursuant to the tender notification, the tenders have been opened and the work has been entrusted to the successful bidders. Therefore, there is no lis to be adjudicated in this writ petition.

The writ petition is accordingly dismissed as infructuous. There shall be no order as to costs.

10-03-2005.

Lrkm.

To

1. The Engineer-in-Chief (R& B), Administration & NABARD, Erramanzil, Hyderabad.
2. The Superinteinding Engineer, R&B Circle, Seetammadhara,

Visakhapatnam.

3. The Superintednding Engineer, R&B Circle, Kakinada,

East Godavari District.

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West Godavari District.

5. The Superintending Engineer, R&B Circle, Vijayawada,

Krishna District.

6. 2CCs to the Government Pleader for Roads and Buildings, High

Court Buildings, High Court of A.P., Hyderabad (O.U.T).

7. 2 CD copies

*Form-NIC-OGS/WP{**JGK**}*